



COMMUNITY DEVELOPMENT
PLANNING DIVISION
301 W. CHESTNUT
planning@rogersar.gov
(479) 621-1186

JANUARY 30, 2020

TO: PLANNING COMMISSION

RE: **STAFF SUMMARY REPORT**
REZONE – MILL CREEK MANOR, LLC

STAFF: ELIZABETH JOHNSON, PLANNER III

REQUEST INFORMATION:

ADDRESS/LOCATION:	2029 S Hampton Place
TOTAL AREA TO BE REZONED:	2.59 ± acres
CURRENT ZONING:	RMF-6B (Residential Multifamily, 6 units per acre, rentals), PUD (Planned Unit Development)
PROPOSED ZONING:	RMF-6B (Residential Multifamily, 6 units per acre, rentals)
PLANNED USE:	Nursing Home

APPLICANT INFORMATION:

APPLICANT/REPRESENTATIVE:	Mill Creek Manor, LLC / Bill Watkins
PROJECT OWNER/DEVELOPER:	Mill Creek Manor, LLC
PROPERTY OWNER:	Mill Creek Manor, LLC
REQUEST:	Rezone approval

CITY INFORMATION:

PROPOSED CGM GROWTH DESIGNATION:	Neighborhood
PROPOSED GROWTH DESIGNATION CHARACTER:	Single-use residential areas connected by collector and local streets that may feature community-oriented non-residential uses such as schools, resource centers, and places of worship. Goals include preserving locations for low-density residential while limiting its proliferation in areas proposed for higher-intensity development.
ZONING DISTRICT INTENT:	This district is intended to provide suitable areas within the City for attached and detached residential development. The zoning shall be designated as R-MF followed by the specific density per acre in increments of one-half units per acre. The letter "A" or "B" will follow unit density to designate rental or individual ownership with "A" being individual ownership and "B" being rental. The district is intended for areas that have access for vehicular traffic from collector or higher classification streets without traversing minor streets in adjoining residential neighborhoods. New single-family dwellings are not permitted to ensure that vacant land set aside for multifamily development is not preempted by less intense development.
AUTHORITY:	Sec. 14-727, Rogers Code of Ordinances

PLANNING REVIEW:

1. LAND USE COMPATIBILITY:

- a) CGM Compliance: The subject request aligns with the purpose, character, and goals of the Neighborhood Growth Designation, which allows for the R-SF, N-R, R-DP, and R-MF zoning districts.
- b) General Findings: The applicant requests this rezone to get rid of a current PUD that controls what can be built on this parcel. The PUD has already been violated in other adjacent parcels, therefore staff finds it reasonable to remove this site from the PUD. Surrounding property is zoned RMF-6B and R-O. Staff finds this to be an appropriate rezone request based on consistency with surrounding property zoning districts and consistency with the Comprehensive Growth Map.

2. REPORTS FROM OTHERS: The Planning Division has not received supporting or opposing comments to date.

3. RECOMMENDATIONS: The Planning Commission should always consider requests with regard to land use compatibility and the health, safety, and general welfare of the public in making their decision.

- a) **Approve rezone request.**

ENGINEERING REVIEW: N/A

STAFF SIGNATURES:



Elizabeth Johnson, Planner III
City of Rogers Planning Division

SUGGESTED MOTIONS:

1. FOR APPROVE:
 - a) "Move to recommend for City Council approval the request by Mill Creek Manor, LLC to rezone 2.59 acres at 2029 S Hampton Place from RMF-6B with PUD to the RMF-6B zoning district as presented."
2. FOR APPROVE WITH CONDITIONS:
 - a) "Move to recommend for City Council approval the request by Mill Creek Manor, LLC to rezone 2.59 acres at 2029 S Hampton Place from RMF-6B with PUD to the RMF-6B zoning district, subject to [conditions or contingencies]."
3. FOR DENY: "Move to deny the request as presented."
4. FOR TABLE: "Move to table the request [indefinite or date certain]."

DIRECTOR'S COMMENTS:

1. Agree with recommendations.



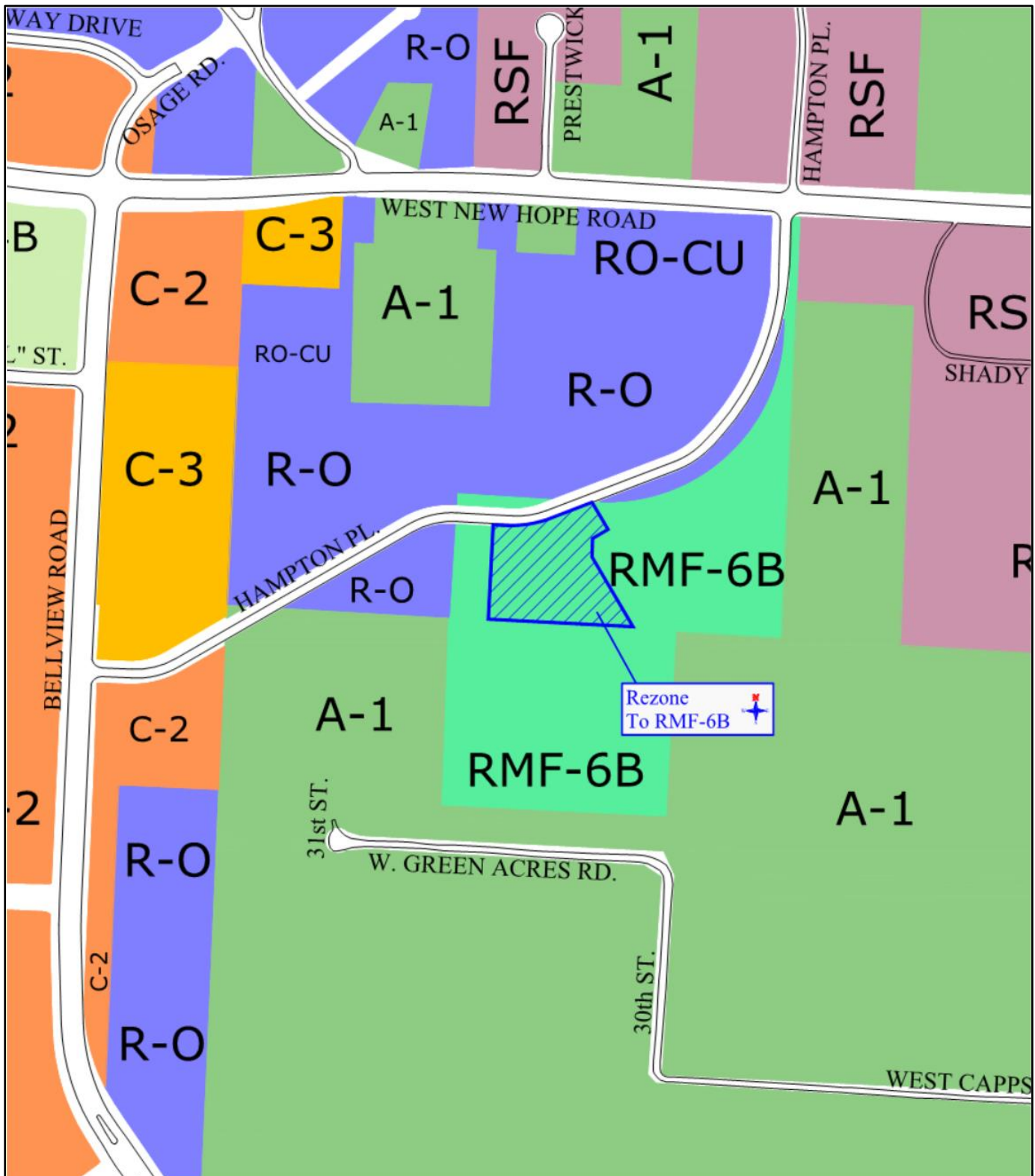
John McCurdy, Director
City of Rogers Community Development

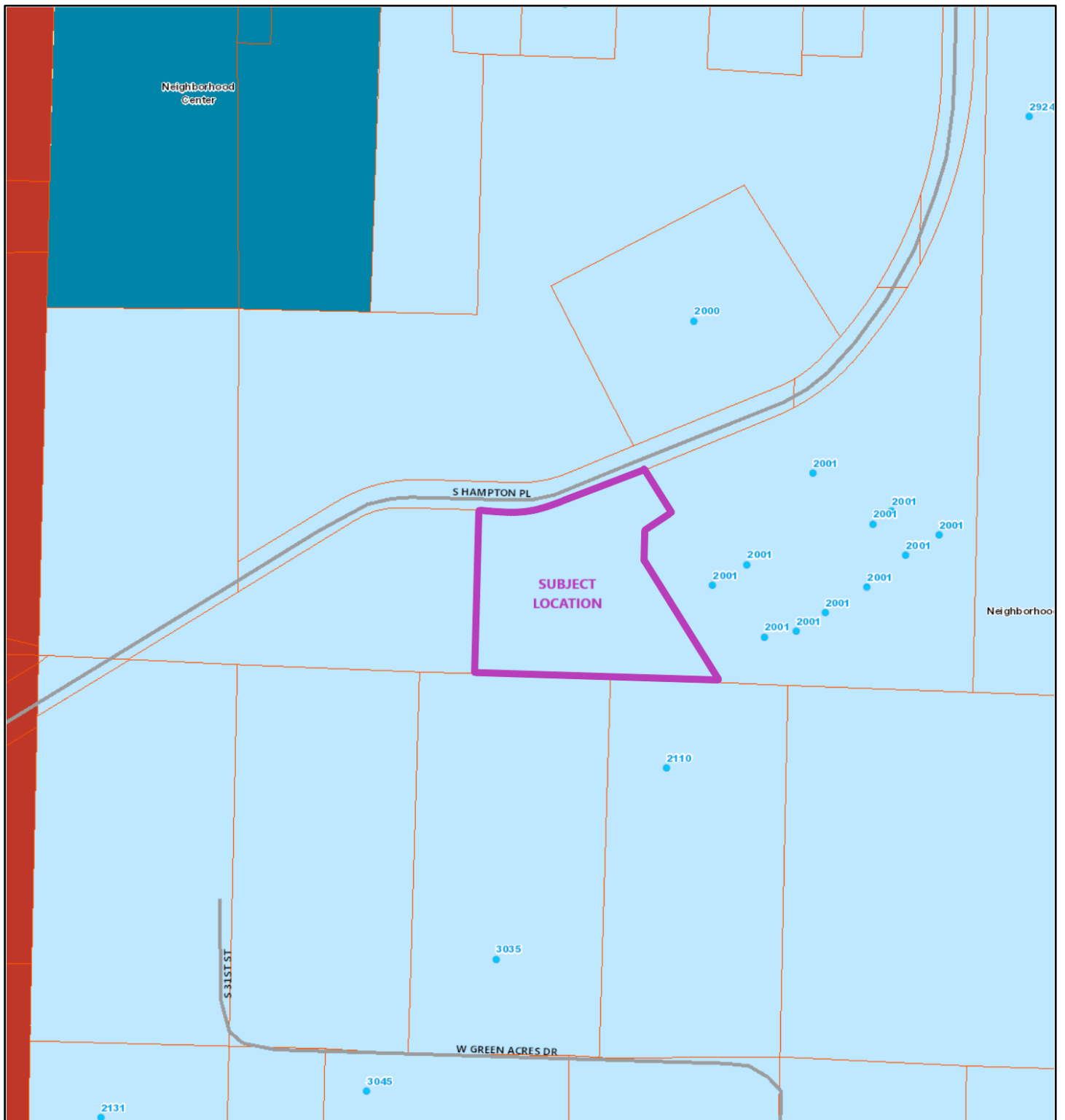
TABS:

1. Vicinity Map
2. Rezone application
3. Maps and/or photos

MILL CREEK MANOR VICINITY MAP (1):

PROPOSED REZONE AREA



CGM



DEPT. OF COMMUNITY DEVELOPMENT
PLANNING DIVISION
CITY OF ROGERS, ARKANSAS
301 W. CHESTNUT
PHONE: (479) 621-1186
FAX: (479) 986-6896

CH 35585

OFFICE USE ONLY

Permit Fee: \$200 (\$200)
Zoning: RMF-6B(PUD) RMF-6B
Permit Number: 20-11
CityView Application: PL202000066
Date: 01/27/2020

REZONE APPLICATION

APPLICANT: Mill Creek Manor, LLC

ADDRESS: _____ SUITE #: _____

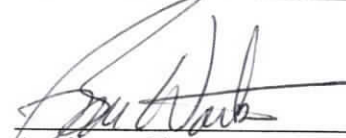
GENERAL LOCATION OF PROPERTY: S. Hampton Pl., West of Jamestown Nursing Home

PHONE #: 479-636-2168 EMAIL: bwatkins@watkinslawoffice.com

PROPERTY OWNER: Allicant PHONE #: _____

PRESENT USE: Vacant ZONING: RMF-6B (PUD)

PROPOSED USE: access to adjoining property ZONING: RMF-6B


Applicant Signature

_____ Date

Attachment Checklist:

- ☒ Legal description of property
- ☐ Applicant Certification
- ☒ Property Owner Affidavit
- ☐ Site plan as needed

PLANNING STAFF PROVIDES:

DATE FILED: 1/27/2020 PUBLIC HEARING DATE: 2/18/2020 CERTIFIED MAIL DATE: 2/3/2020

PLANNING COMMISSION ACTION: _____ DATE: _____

CITY COUNCIL ACTION: _____ DATE: _____

ORDINANCE NUMBER: _____ COMMENTS: _____

PROPERTY OWNER AFFIDAVIT

The petitioner, Mill Creek Manor, LLC, petitions the Planning Commission of the City of Rogers, Arkansas to rezone certain real property as set forth herein:

LEGAL DESCRIPTION: SEE EXHIBIT "A"

LAYMAN'S DESCRIPTION: 2.59 acres adjoining Jamestown Nursing Home on the West side

PRESENT ZONING: RMF-6B (PUD)

ZONING REQUEST: RMF-6B

Respectfully Submitted,

By: 
(Property Owner Signature)

STATE OF ARKANSAS
COUNTY OF Sebastian

Subscribed and sworn before me this the 24 day of JANUARY, 2020.

PATRICIA CHERRY
NOTARY PUBLIC-ARKANSAS
SEBASTIAN COUNTY
COMMISSION NO. 12370469
My Commission Expires 04-12-2029


Notary Signature

PATRICIA CHERRY
Notary Name Printed

04-12-2029
Commission Expires

LEGAL DESCRIPTION

Tract 2 -Vacant Land West of Nursing Home:

A part of the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4), Section 22, Township 19 North, Range 30 West, City of Rogers, Benton County, Arkansas, and being more particularly described as: Commencing at the SW corner of the NW1/4 of the NW1/4 of said Section 22; thence South 86 degrees 51 minutes 16 seconds East, 164.19 feet to a point along the South side of a 20 foot trail right of way adjacent to and parallel with the South right of way of South Hampton Place, said point being the point of beginning; thence North 59 degrees 52 minutes 11 seconds East, along said South side of 20 foot trail right of way adjacent to and parallel with the South right of way of South Hampton Place, 472.54 feet to the point of curvature of a non-tangent curve to the right, having a radius of 153.42 feet; thence along the arc of said curve through a central angle of 35 degrees 48 minutes 43 seconds, an arc distance of 95.89 feet, the chord of which bears North 77 degrees 46 minutes 32 seconds East a distance of 94.34 feet; thence South 87 degrees 01 minute 07 seconds East, 164.87 feet to the point of curvature of a non-tangent curve to the left, having a radius of 347.13 feet; thence along the arc of said curve through a central angle of 20 degrees 54 minutes 53 seconds, an arc distance of 126.71 feet, the chord of which bears North 82 degrees 31 minutes 27 seconds East a distance of 126.01 feet; thence North 69 degrees 00 minutes 54 seconds East, 146.66 feet; thence South 30 degrees 24 minutes 50 seconds East, leaving said South side of a 20 foot trail right of way adjacent to and parallel with the South right of way of South Hampton Place, 94.17 feet; thence South 59 degrees 35 minutes 10 seconds West, 53.41 feet; thence South 01 degree 51 minutes 25 seconds West, 55.19 feet; thence South 30 degrees 24 minutes 50 seconds East, 241.78 feet; thence North 86 degrees 51 minutes 16 seconds West, 1051.05 feet to the point of beginning. LESS AND EXCEPT: A part of the NW1/4 of the NW1/4, Section 22, Township 19 North, Range 30 West, City of Rogers, Benton County, Arkansas, and being more particularly described as: Commencing at the SW corner of the NW1/4 of the NW1/4 of said Section 22; thence South 86 degrees 51 minutes 16 seconds East 164.19 feet to a point along the South right of way of South Hampton Place, said point being the point of beginning; thence North 59 degrees 52 minutes 11 seconds East along said South side of 20 foot trail right of way adjacent to and parallel with the South right of way of South Hampton Place, 472.54 feet to the point of curvature of a non-tangent curve to the right, having a radius of 153.42 feet; thence along the arc of said curve through a central angle of 35 degrees 48 minutes 43 seconds, an arc distance of 95.89 feet, the chord of which bears North 77 degree 46 minutes 32 seconds East a distance of 94.34 feet; thence South 87 degrees 01 minute 07 seconds East 131.11 feet; thence South 02 degrees 58 minutes 01 second West 282.73 feet; thence North 86 degrees 51 minutes 16 seconds West 618.02 feet to the point of beginning.



DEPT. OF COMMUNITY DEVELOPMENT
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NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held before the Rogers Planning Commission in the Rogers City Hall at 301 West Chestnut Street on **February 18, 2020 at 5:00 p.m.** on the application by **Mill Creek Manor** to consider a rezone from the **RMF-6B PUD (Residential Multifamily, 6 units per acre, rentals, Planned Unit Development)** zoning district to the **RMF-6B (Residential Multifamily, 6 units per acre, rentals)** zoning district for **2.59 acres west of 2001 S. Hampton Pl.** the property being more particularly described as follows:

LEGAL DESCRIPTION:

A part of the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4), Section 22, Township 19 North, Range 30 West, City of Rogers, Benton County, Arkansas, and being more particularly described as: Commencing at the SW corner of the NW1/4 of the NW1/4 of said Section 22; thence South 86 degrees 51 minutes 16 seconds East, 164.19 feet to a point along the South side of a 20 foot trail right of way adjacent to and parallel with the South right of way of South Hampton Place, said point being the point of beginning; thence North 59 degrees 52 minutes 11 seconds East, along said South side of 20 foot trail right of way adjacent to and parallel with the South right of way of South Hampton Place, 472.54 feet to the point of curvature of a non-tangent curve to the right, having a radius of 153.42 feet; thence along the arc of said curve through a central angle of 35 degrees 48 minutes 43 seconds, an arc distance of 95.89 feet, the chord of which bears North 77 degrees 46 minutes 32 seconds East a distance of 94.34 feet; thence South 87 degrees 01 minute 07 seconds East, 164.87 feet to the point of curvature of a non-tangent curve to the left, having a radius of 347.13 feet; thence along the arc of said curve through a central angle of 20 degrees 54 minutes 53 seconds, an arc distance of 126.71 feet, the chord of which bears North 82 degrees 31 minutes 27 seconds East a distance of 126.01 feet; thence North 69 degrees 00 minutes 54 seconds East, 146.66 feet; thence South 30 degrees 24 minutes 50 seconds East, leaving said South side of a 20 foot trail right of way adjacent to and parallel with the South right of way of South Hampton Place, 94.17 feet; thence South 59 degrees 35 minutes 10 seconds West, 53.41 feet; thence South 01 degree 51 minutes 25 seconds West, 55.19 feet; thence South 30 degrees 24 minutes 50 seconds East, 241.78 feet; thence North 86 degrees 51 minutes 16 seconds West, 1051.05 feet to the point of beginning. LESS AND EXCEPT: A part of the NW1/4 of the NW1/4, Section 22, Township 19 North, Range 30 West, City of Rogers, Benton County, Arkansas, and being more particularly described as: Commencing at the SW corner of the NW1/4 of the NW1/4 of said Section 22; thence South 86 degrees 51 minutes 16 seconds East 164.19 feet to a point along the South right of way of South Hampton Place, said point being the point of beginning; thence North 59 degrees 52 minutes 11 seconds East along said South side of 20 foot trail right of way adjacent to and parallel with the South right of way of South Hampton Place, 472.54 feet to the point of curvature of a non-tangent curve to the right, having a radius of 153.42 feet; thence along the arc of said curve through a central angle of 35 degrees 48 minutes 43 seconds, an arc distance of 95.89 feet, the chord of which bears North 77 degree 46 minutes 32 seconds East a distance of 94.34 feet; thence South 87 degrees 01 minute 07 seconds East 131.11 feet; thence South 02 degrees 58 minutes 01 second West 282.73 feet; thence North 86 degrees 51 minutes 16 seconds West 618.02 feet to the point of beginning.

LAYMAN'S DESCRIPTION:

2.59 acres west of 2001 S. Hampton Pl.

Rachel Crawford, Secretary
Planning Commission

PUBLISH ONE TIME ONLY: February 3, 2020
BILL THE CITY OF ROGERS